

REMARKS

The above amendments add the subject matter of claim 9 to independent claims 1, 15, and 20. Thus, the amendment raises no new issues, and entry is respectfully solicited.

Reconsideration of the rejection of claims 1-3, 6-9, 11-13 and 17-20 under 35 USC §102(b) as anticipated by Weimar is respectfully requested.

Applicant again respectfully submits that the material 6 of Weimar is not “rigid.” Weimar clearly states at column 2, lines 7-10 that “the gripping portion 4 is made of a channel-shaped *resilient material* 6 such as plastics or rubber material.” The examiner erroneously refers to Weimar at column 5, lines 19-37, which references figure 7, to argue that the alleged rigidity results from the insertion of the wire inserts 20 into the bores 18 of the branches of the gripping section 4, which does not correspond to the *rigid thermoplastic material* of the clip of claim 1.

It is noted that the examiner has selected a definition of “rigid” obtained from dictionary.com to mean “firmly fixed or set.” It is submitted that a fair reading of the entire disclosure of Weimar reveals that the material of Weimar does not meet even this definition. For example, in addition to that pointed out in the immediately preceding paragraph, the material 6 of Weimar is compressible and stretchable. See column 3 at lines 32, 33. As well, the material can be bent. See column 3 at line 23. And, the material 6 evidently is not capable of retaining even the general shape of the opening formed by the door without the wire inserts 20 (see column 5 at line 15-17). It is submitted that taken as a whole, one of ordinary skill in the art would not consider Weimar to teach that the material 6 is itself “firmly fixed or set.”

Moreover, the independent claims now recite the features that were found in claim 9. Namely, the claims recite two parallel branches (e.g., 15, 17) with sealing lips for sliding engagement with a window, the branches being arranged to extend perpendicular to the flange and having roots connected toward ends of one of the jaws. Weimar simply shows no such structure and contains no teaching to provide it. It will thus be appreciated that the weatherstrip and slideway invention now claimed is very different from the strip of Weimar, which provides no structure for sliding engagement of a window, much less the rigid structure and reinforcing elements as noted above.

Reconsideration is respectfully requested of the rejection of claims 1-3, 6-13, 15, 16, 17-20 under 35 USC §103 as unpatentable over Guillon and Weimar. Guillon does not disclose a rigid thermoplastic clip, since Guillon discloses at column 4 lines 41-44 (see figure 4) that the clip 54 "is made from an *elastomer* material." An elastomer is elastic, which means that it is not firmly fixed or set. Moreover, Guillon fails to teach or suggest a weatherstrip or slideway as presently claimed that includes two parallel branches perpendicular to the flange with roots connected towards respective ends of one of the jaws, the branches being provided with sealing lips. The weather strips shown in figures 2 and 3 of Guillon do not provide branches that receive a sliding window between them, and the embodiment of figure 4 receives the window between the "jaws" themselves, not branches extending from the jaws. Accordingly, the basic structures disclosed in Guillon are very different from that recited in the claims, and one of ordinary skill in the art would not have found it obvious to obtain the claimed invention in light of Weimar and Guillon.

The invention is a unique combination of features that combine to provide a weather strip or slideway not shown or suggested by the art of record. Accordingly, it is submitted that this application is in condition for allowance and an early indication thereof is respectfully requested.

All necessary extensions of time are hereby requested (even though none is believed necessary). Please charge any deficiency and credit any excess to deposit account 50-1088.

Respectfully submitted,
CLARK & BRODY

A handwritten signature in cursive script, appearing to read "Conrad Clark", written in dark ink.

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